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World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

Norway and United States of America: draft resolution

Strengthening a targeted crime prevention and criminal justice response to combat illicit trafficking in timber and forest products

The Commission on Crime Prevention and Criminal Justice,

Reaffirming its resolution 16/1 of 27 April 2007, entitled "International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources," in which, inter alia, the Commission strongly encouraged Member States to cooperate at the bilateral, regional and international levels to prevent, combat and eradicate illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, where appropriate, through the use of international legal instruments such as the United Nations Convention against Transnational Organized Crime[1] and the United Nations Convention against Corruption,[2]

Recognizing the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora[3] as the principal international instrument for ensuring that international trade in specimens of wild animals and plants does not threaten their survival, and also recognizing the efforts made to implement that Convention by the parties thereto,

Recalling General Assembly resolution 62/98 of 17 December 2007, by which the Assembly adopted the non-legally binding instrument on all types of forests,

* Second reissue for technical reasons (7 May 2014).
** E/CN.15/2014/1.
[1] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[2] Ibid., vol. 2349, No. 42146.
[3] Ibid., vol. 993, No. 14537.

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contained in the annex to that resolution, which states that Member States should enhance bilateral, regional and international cooperation to address illicit international trafficking in forest products through the promotion of forest law enforcement and good governance at all levels,

Recalling also Economic and Social Council resolution 2008/25 of 24 July 2008, in which the Council encouraged Member States to continue to provide the United Nations Office on Drugs and Crime with information on measures taken pursuant to Commission on Crime Prevention and Criminal Justice resolution 16/1, taking into consideration, inter alia, the need for holistic and comprehensive national multisectoral approaches to preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, as well as for international coordination and cooperation in support of such approaches, including through technical assistance activities to build the capacity of relevant national officials and institutions,

Recalling further the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which the States Members of the United Nations acknowledged the challenge posed by emerging forms of crime that have a significant impact on the environment, encouraged Member States to strengthen their national crime prevention and criminal justice legislation and invited them to enhance international cooperation, technical assistance and the sharing of best practices in that area, and invited the Commission on Crime Prevention and Criminal Justice to study the nature of the challenge and ways to deal with it effectively,

Recalling Economic and Social Council resolution 2011/36 of 28 July 2011, in which the Council invited Member States to consider making illicit trafficking in endangered species of wild fauna and flora a serious crime, in accordance with their national legislation and article 2, paragraph (b), of the Organized Crime Convention, especially when organized criminal groups are involved,

Emphasizing Economic and Social Council resolution 2012/19 of 26 July 2012, in which the Council urged Member States to consider, among other effective measures, in accordance with their national legal systems, addressing different forms and manifestations of transnational organized crime that have a significant impact on the environment, including trafficking in endangered species of wild fauna and flora,

Reaffirming Economic and Social Council resolution 2013/40 of 25 July 2013, in which the Council encouraged Member States to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the Organized Crime Convention, in order to ensure that adequate and effective means of international cooperation could be afforded under the Convention in the investigation and prosecution of those engaged in illicit trafficking in protected species of wild fauna and flora,

Reaffirming also that in its resolution 68/193 of 18 December 2013, the General Assembly emphasized that coordinated action was critical to eliminate

corruption and disrupt the illicit networks that drive and enable trafficking in wildlife, timber and timber products harvested in contravention of national laws,

Recalling that, in that same resolution, the General Assembly strongly encouraged Member States to take appropriate measures, consistent with their domestic legislation and legal frameworks, to strengthen law enforcement and related efforts to combat individuals and groups, including organized criminal groups, operating within their borders, with a view to preventing, combating and eradicating international trafficking in wildlife, forest products, including timber, and other forest biological resources harvested in contravention of national laws and relevant international instruments,

Mindful of the need to address illicit trafficking in timber and forest products, which contributes to deforestation and forest degradation, which in turn have an adverse impact on biodiversity, climate and livelihoods,

Recognizing the linkages between illicit trafficking in timber and forest products and transnational organized crime, illicit financial flows and corruption,

Deeply concerned that illicit trafficking in timber and forest products fuels corruption and threatens the security, stability and rule of law of Member States, and recognizing the need to strengthen collectively efforts to combat such corruption and the illicit networks involved in transnational illicit trafficking in timber and forest products,

Conscious of the need to promote initiatives to discourage illicit trafficking in timber and forest products, thus encouraging only legal trade,

Acknowledging the crucial role played by all relevant stakeholders, including civil society, in combating illicit trafficking in timber and forest products,

1. *Encourages* Member States to make illicit trafficking in timber and forest products involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the United Nations Convention against Transnational Organized Crime,[4] in order to ensure that adequate and effective means of international cooperation can be afforded under the Convention in the investigation and prosecution of those engaged in illicit trafficking in timber and forest products;

2. *Also encourages* Member States to undertake and promote bilateral, regional, subregional and international law enforcement cooperation to promote the sustainable management and conservation of forests through cross-border information-sharing, detection, interdiction and investigation efforts aimed at countering illicit trafficking in timber and forest products between supply, transit and demand States;

3. *Strongly encourages* Member States to develop and implement, where necessary and consistent with international obligations, domestic and regional policies aimed at countering illicit trafficking in timber and forest products;

4. *Also strongly encourages* Member States to strengthen, where necessary, their domestic legal and criminal regimes and their law enforcement and judicial capacity, consistent with their international obligations and national legislation, to

[4] Ibid., vol. 2225, No. 39574.

ensure that relevant criminal laws, including appropriate penalties and sanctions, are available to address illicit trafficking in timber and forest products;

5. *Further strongly encourages* Member States to adopt criminal laws and harsher penalties to ensure adequate and effective measures to deter criminals involved in illicit trafficking in timber and forest products;

6. *Requests* Member States to take full advantage of the international cooperation provisions of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption,[5] in appropriate cases, to prevent and combat illicit trafficking in timber and forest products, and in that regard calls upon Member States that have not done so to consider becoming parties to those Conventions and calls for their full and effective implementation by States parties;

7. *Urges* Member States to address the problem of corruption and money-laundering facilitating trafficking in timber and forest products and related offences by adopting or amending legislation, as necessary, criminalizing corruption and bribery, including in cases where corruption and bribery facilitate trafficking in timber and forest products and related offences, and money-laundering predicated on such offences, and to institute measures to establish and promote effective practices aimed at the prevention of corruption and the detection of money-laundering, particularly in cases involving trafficking in timber and forest products;

8. *Commends* the efforts of the Commission on Crime Prevention and Criminal Justice to support Member States in the implementation of the *Wildlife and Forest Crime Analytic Toolkit* to assess the capacity of relevant forest law enforcement authorities and judiciaries in investigating, prosecuting and adjudicating forest-related offences, with the aim of developing the technical assistance and capacity-building activities of Member States;

9. *Invites* the United Nations Office on Drugs and Crime, in coordination with other United Nations bodies and international organizations, as appropriate and within their respective mandates, to promote enforcement related to illicit trafficking in timber and forest products and addressing its impact on security and sustainable development;

10. *Also invites* the United Nations Office on Drugs and Crime to consider cooperation, as appropriate, with member organizations of the Collaborative Partnership on Forests to promote effective forest law enforcement and governance, including by strengthening support for existing instruments and programmes such as the Thematic Programme on Forest Law Enforcement, Governance and Trade of the International Tropical Timber Organization;

11. *Encourages* the United Nations Office on Drugs and Crime, in consultation with relevant intergovernmental organizations, to continue to provide technical assistance and training to combat illicit international trafficking in timber and forest products, and to promote the development of tools and technologies to enhance the detection, interdiction and prosecution of such crimes, in accordance with the rules and procedures of the United Nations;

[5] Ibid., vol. 2349, No. 42146.

12. *Requests* the United Nations Office on Drugs and Crime, in consultation with interested Member States and relevant intergovernmental organizations, to undertake case studies that identify drivers of illicit international trafficking in timber and forest products at the national and local levels, including the role of organized criminal networks and government transparency and accountability, subject to extrabudgetary resources;

13. *Invites* Member States and other donors to provide extrabudgetary contributions for such purposes, in accordance with the rules and procedures of the United Nations;

14. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session.